

Application No. 09/698,817
Amendment dated March 23, 2004
Reply to Office Action of November 20, 2003

REMARKS / ARGUMENTS

The Examiner is thanked for the Office Action of November 20, in which the previous Restriction Requirement was withdrawn, a new Restriction Requirement was made, and certain rejections over the prior art were made. This submission is fully responsive thereto.

Restriction Requirement

In the Office Action, the Examiner restricted examination to one of three inventions: Group I (claims 1-8, 19-29, and 31-39) directed to an apparatus for placing components on printed circuit boards, Group II (claims 9-18 and 30) directed to a method of mounting electronic components on a printed circuit board, and Group III (claims 40-44) directed to a method of handling electronic components for printed circuit boards.

Applicants confirm the provisional election of Group I made by telephone/e-mail on November 13, 2003. Applicant retains the right to present claims 9-18, 30, and 40-44 in a divisional application. However, Applicants respectfully traverse the instant Restriction.

The Examiner also required Applicants to either cancel non-elected claims 9-18, 30, and 40-44 or take other appropriate action. Because of Applicants' traversal and for retaining the right to petition for a withdrawal of the Examiner's Restriction Requirement, the non-elected claims need not be canceled at this time.

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In the Office Action, the Examiner indicated that restriction between Group I and Groups II/III was proper because they relate as apparatus and process of use, and because the method could be practiced by hand. According to U.S. PTO restriction practice, the Examiner must also show either that a) the inventions have a separate status in the art (when they are classified together), b) the inventions are separately classified, or c) they require a different field of search. Reason a) does not apply in the Examiner's restriction requirement because the Examiner states that the inventions are separately classified.

With regard to reasons b) and c), the Restriction is not proper if the inventions do not require separate fields of search. With particular attention to reason b), Applicants direct the Examiner's attention to MPEP 808.02, where it is explained that not only must each subject have "attained recognition in the art as a separate subject for inventive effort", *it must also have a separate field of search*. In this case, Applicants respectfully assert that the inventions of Group I and Groups II/III necessarily have coextensive fields of search.

Applicants further direct the Examiner's attention to MPEP 904.02, where it is explained that "an examiner must conduct a thorough search of the prior art" and that "[t]he search should cover the claimed subject matter and should also cover the disclosed features which might reasonably be expected to be claimed". Under this PTO standard, a thorough search for the claimed methods should include a search, not only in Class 29, subclasses 832 and 854, but also in Class 29, subclass 729. Similarly, a thorough search for the claimed apparatus should

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include a search not only in Class 29, subclass 729, but also in Class 29, subclasses 832 and 854.

Thus, a thorough search includes each of the subclasses in which the Examiner has classified the apparatus and the methods. As a result, the coextensive fields of search render the instant Restriction improper. As such, Applicants respectfully request withdrawal of the instant rejection.

Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 1, 2-5, 19-20, and 31-33 as obvious over U.S. Patent 6,054,682 (hereinafter the '682 patent). Applicants respectfully traverse this rejection because the '682 patent fails to disclose each and every one of the claimed limitations, including a dry gas delivery system for delivery of a dry gas to a dry atmosphere component storage area, and the Examiner has not provided any other teaching that supplies any missing limitations. Applicants further respectfully traverse this rejection for the reasons enumerated in the Request for Continued Examination of May 28, 2003.

One of ordinary skill in the art would likely consider that a dry gas delivery system for delivery of dry gas to a dry atmosphere component storage area necessarily requires that the gas must first be dry *before* it is delivered into the storage area. In this case, all the Examiner has shown is that the optional purging gas of the '682 patent may possibly be in a dry state inside the chamber during a period of time when the chamber is heated. In other words, the Examiner has not shown that the purging gas is dry *before* it is delivered to the

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thermal chamber. As such, the rejection should be withdrawn. Additionally, the Examiner has failed to show how and why one of ordinary skill in the art would dry the purge gas before introduction of it into the thermal chamber.

In the Office Action, the Examiner also rejected claims 6-8, 21-29, and 34-36, and 37-39 as obvious over the '682 patent in view of U.S. Patent No. 5,365,779 (hereinafter the '779 patent) for various reasons. As shown above, the '682 patent fails to disclose a dry gas delivery system for delivery of a dry gas to the storage area. Because the '779 patent fails to supply this missing limitation, the rejection should be withdrawn. Applicants further respectfully traverse this rejection for the reasons enumerated in the Request for Continued Examination of May 28, 2003.

CONCLUSION

For the reasons explained above, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Should the Examiner believe that a telephone call would expedite prosecution of the application, he is invited to call the undersigned attorney at the number listed below. The Commissioner has been authorized to debit deposit account number 01-1375 for fees associated with a petition for extension of time attached to this submission. Otherwise, it is believed that no other fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375. Also, the Commissioner is authorized to credit any overpayment to deposit account number 01-1375.

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Respectfully submitted,



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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being transmitted via facsimile
to telephone number 703-872-9306 on this 23rd day of March, 2004.



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